

**ENTERED**

November 28, 2022

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION

JESSE ROBERT ROSE,

Petitioner,

VS.

BOBBY LUMPKIN,

Respondent.

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CIVIL ACTION NO. 1:22-CV-090

**ORDER**

On July 29, 2022, Petitioner Jesse Robert Rose filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. (Petition, Doc. 1) Rose alleges that his good time and work time credits have not been applied toward his sentence, and if applied correctly, would result in his early release. (*Id.* at 6–7)

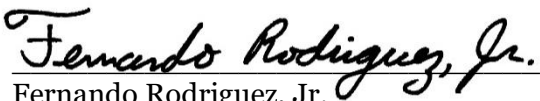
The Magistrate Judge recommends that Rose’s Petition be dismissed without prejudice for failure to exhaust state remedies or alternatively, as substantively meritless. (R&R, Doc. 15) No party filed objections to the Report and Recommendation, and the Court finds no clear error within it. *See* 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b)(3).

As a result, the Court **ADOPTS** the Report and Recommendation (Doc. 15). It is:

**ORDERED** that Petitioner Jesse Robert Rose’s Petition for Writ of Habeas Corpus Under 28 U.S.C. § 2241 (Doc. 1) is **DISMISSED WITHOUT PREJUDICE** for failure to exhaust state remedies or alternatively, as substantively meritless.

The Clerk of Court is directed to close this matter.

Signed on November 28, 2022.

  
Fernando Rodriguez, Jr.  
United States District Judge